



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: McDevitt et al.  
 Serial No.: 10/034,343  
 Filed: 28 December 2001  
 For: Modular Prosthesis and Insertion Tool for Bone Structures

Group Art Unit: 3732  
 Examiner: E. Robert

Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450



26308

PATENT TRADEMARK OFFICE

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL  
(37 C.F.R. § 1.114)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

*NOTE: (Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995.)*

## 1. SUBMISSION REQUIRED UNDER 37 CFR §1.114:

- A.  Previously submitted  
 Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on \_\_\_\_\_  
 (*Any unentered amendment(s) referred to above will be entered.*)  
 Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
 Other \_\_\_\_\_
- B.  Enclosed  
 Amendment/Reply  
 Affidavit(s)/Declaration(s)  
 Information Disclosure Statement (IDS)  
 Other \_\_\_\_\_ Supplemental Declaration

## 2. MISCELLANEOUS

- A.  Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of \_\_\_\_\_ months  
 B.  Other \_\_\_\_\_

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## CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that, on the date shown below, this correspondence is being deposited with the United States Postal Service in an envelope addressed as follows: Mail Stop RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date	28 July 2004
08/03/2004 CCHAU1	00000080 10034343
01 FC:2252	210.00 OP
08/03/2004 CCHAU1	00000080 10034343
02 FC:2801	385.00 OP

Linda S. Wenzel  
 (type or print name of person mailing paper)  
  
 (Signature of person mailing paper)

**3. EXTENSION OF TIME**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply

(complete (a) or (b) as applicable)

- (a)  Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

Extension <u>(months)</u>	Fee for other than <u>Small Entity</u>	Fee for <u>Small Entity</u>
[ ] one month	\$ 110.00	\$ 55.00
[x] two months	\$ 420.00	\$ 210.00
[ ] three months	\$ 950.00	\$ 475.00
[ ] four months	\$1480.00	\$ 740.00
[ ] five months	\$2010.00	\$1005.00

Fee: \$ 210.00

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

- An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$ \_\_\_\_\_

OR

- (b)  Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

4. **FEES**

*The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.*

- A. [x] The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 06-2360  
[x] RCE fee required under 37 CFR §1.17(e)  
[x] Extension of Time Fee (37 CFR §§1.136 and 1.17)  
[ ] IDS Fee (\$180.00)  
[ ] Other
- B. [x] RCE Fee  
[ ] \$770.00 (large entity)  
[x] \$385.00 (small entity)
- C. [x] Extension Fee: \$210.00
- D. [ ] IDS Fee (\$180.00)

**TOTAL FEES ENCLOSED:** \$595.00

Patricia A. Limbach  
SIGNATURE OF ATTORNEY

Reg. No. 50,295

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